

LAW OFFICES OF
DANIEL A. MCGUINNESS, P.C.
353 LEXINGTON AVE., SUITE 900, NEW YORK, NY 10016
TEL: (646) 360-0436 • FAX (888) 679-0585 • DAN@LEGALMCG.COM

October 18, 2023

VIA ECF

Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Davon Mial, 21 Cr. 499(PAE)

Dear Judge Engelmayer:

I represent Davon Mial in the above-captioned matter. I write to respectfully request an extension of the surrender date for Mr. Mial by 45-days. Mr. Mial is currently scheduled to surrender October 20, 2023 to FCI Fort Dix. Mr. Mial is recovering from a back surgery performed last week. This is the third request for an extension of surrender. I apologize for the lateness of this application but Mr. Mial only received the attached verification documents earlier today. The Government takes no position on this request.

As noted in the prior application for an extension of surrender application, Mr. Mial has been recovering from injuries related to a car accident that occurred over the summer. This past Friday, October 13, 2023, Mr. Mial underwent a back surgery. The paperwork from Dr. Ari Lerner (attached hereto), notes that a "Percutaneous Lumbar Discectomy" was performed. Dr. Lerner recommends 14 days to recover from the procedure. Mr. Mial's treating physician at Central Park Medicine and Rehabilitation, P.C. notes in the attached letter that Mr. Mial is undergoing post-operative physical rehabilitative therapy and is scheduled to be reevaluated in six weeks. As such, Mr. Mial respectfully requests that his surrender date be extended by 45 days to permit him to recover from surgery and continue his physical rehabilitation.

I thank the Court in advance for its consideration of this request.

GRANTED. The Court extends Mr. Mial's surrender date to December 4, 2023. Mr. Mial should not expect further extensions of the surrender date. The Clerk of Court is requested to terminate the motion at Dkt. No. 336. SO ORDERED.

10/19/2023

Sincerely,



Daniel A. McGuinness



PAUL A. ENGELMAYER
United States District Judge